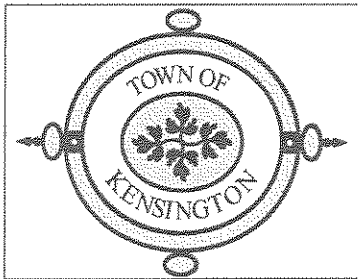


DECEMBER 2009



THE TOWN OF KENSINGTON'S **AROUND TOWN JOURNAL**

3710 Mitchell Street, Kensington, Maryland * 301-949-2424 * Fax: 301-949-4925 * WWW.TOK.MD.GOV

UPCOMING EVENTS & MEETINGS

Town Tree Lighting
Sun., Dec. 13th 5pm

Town Council Meeting
Mon., Dec. 14th 7pm
Public Hearing

Town Offices Closed
at noon on
Dec. 24th & Dec. 31st.

Town Offices Closed
Dec. 25th & Jan. 1st.

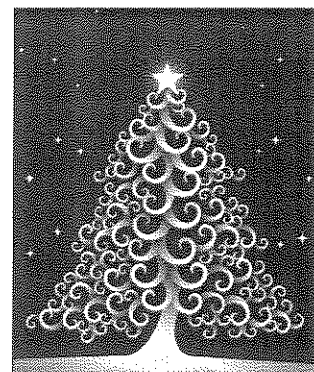
Town Council Meeting
Mon., Jan. 11th 7pm

Town Offices Closed
Mon., Jan. 18th

Town Council Meeting
Mon., Jan. 25th 7pm

Annual Holiday Tree Lighting & Town Festivities

On Sunday, December 13th at 5PM, please join us for warm cider, cookies and entertainment by the Kensington Arts Theatre



Along with the Annual Holiday Tree Lighting, the Town will announce the winners of the Day in the Life of Kensington Photo Contest. The judges have narrowed the field down to 12 finalists. The winning photos will be displayed during the Tree Lighting and the winners will be presented with prizes that have been donated by many of the Town's businesses.

In addition, many of the Town's businesses have agreed to stay open late on Sunday, December 13th to help celebrate the holiday season. Along with checking out the Town's unique shops for some last minute stocking stuffers, we invite you to check out **Art on the Armory**.



Newsletter Clarification and Printing Options

ATTENTION: In the November '09 Town Newsletter we stated the last issue for the journal would be in February 2010. This was a misprint. Rather in efforts to save resources and be "green", the Town is encouraging those who have email access to sign up for the electronic version of our monthly newsletter. Those wishing to continue with a hardcopy will still have the option to do so.

We apologize for any confusion.

Please email Matthew Hoffman (Assistant to the Town Manager) only if you wish to receive your newsletter electronically. mjhoffman@tok.md.gov.

**IMPORTANT NEWS UPDATE! Public HEARING MONDAY, DECEMBER 14 IN REGARDS TO
Kensington Charter Resolutions****Charter Resolution CR- Number to be assigned upon adoption**

A Charter Resolution of the Mayor And Council of the Town of Kensington, Maryland amending Article VIII, "Finance" Section 816, "Purchasing and Contracts", to delete certain requirements and to require that the Council provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for Town purchases and contracts. This Charter Resolution is to be adopted in concert with an Ordinance, which sets the rules and regulations for competitive bidding and contracts.

Charter Resolution CR- Number to be assigned upon adoption

A Charter Resolution of the Mayor and Council of the Town of Kensington, Maryland amending Article IV "The Council", Section 410 "File Of Ordinances V "The Mayor", Section 505, "Powers And Duties", Article VIII, Section 802 "Proposed Budget" and Section 808 "Checks", Amending Article IX "Administration", by deleting "Section 906 "Appointed Officials", Section 907 "Clerk-Treasurer" and Section 909 "Building Inspector", Renumbering Section 908 "Town Attorney", and adding Section 907 "Town Manager" and Amending Article XI "Special Assessments", Section 1102 "Procedure" And Article XIII "General Provisions", Section 1301 "Oath Of Office" and Section 1302 "Official Surety Bonds", all of the Town Charter, to establish the position of Town Manager as chief administrative officer of the Town, to provide for the duties and terms of employment for the position, to make certain changes to the procedure for issuance of checks, to eliminate from the Charter reference to the offices of Clerk-Treasurer, and to make conforming changes.

Kensington Ordinances**Ordinance No. (# assigned upon adoption)**

An Ordinance of the Mayor And Council of the Town of Kensington, Maryland amending Chapter II, "Government and Administration", by adding Article IV, "Purchasing and Contracts", Sections 2-401, "Purpose, Scope", 2-402, "Bidding Requirements", 2-403 "Exceptions", Section 2-404, "Awarding of Bids", and Section 2-405, "Professional Service Contracts" to prescribe a procedure for purchasing goods and services for the Town. The ordinance raises the threshold for a competitive bidding requirement from \$10,000.00 to \$30,000.00, requires that bids be advertised at least once in a newspaper of general circulation in Montgomery Co., allows the Town to make purchases based upon a bid and award by any federal, state, county, local government bid process, so long as the bid process is comparable to that of the Town, requires that the Council approve all awards over \$10,000.00, allows the Council to override bid procedures by an extra majority vote, and provides a procedure for obtaining professional services.

Ordinance No. (# assigned upon adoption)

An Ordinance of the Mayor and Council of the Town of Kensington, Maryland amending Chapter VII, "Public Health, Safety and Conduct", by adding Article I, "General Provisions", Sections -105, "Regulation of Parks" to provide for regulation of Town parks and to institute a permit system, and to provide a penalty. The ordinance provides that the parks are generally for the use of the public, allows for permitting of use of the park on certain conditions and sets the permitting procedure while retaining the right to limit use of the parks and to revoke a permit, requires that a use schedule be kept, prohibits routine or recurring use of parks as part of a for-profit or not-for-profit business, educational or other activity that is being offered for a tuition or fee, without a permit, places other restrictions, and provides enforcement and for a penalty.

PERMITS

10335 Kensington Pkwy.

Connect to the existing water/sewer

REPORTING STREET LIGHT OUTAGES

Please report any outages to Pepco at 1-877-737-2662 or to the Town Manager, Sanford Daily. When you call you will need the pole number, nearest landmark and/or intersection.

IF IT SNOWS...

Kensington requires residents to clear a path on the sidewalk, in front of their properties, within 24 hours of each snow fall. If a path has not been cleared within 24 hours, a notice will be hand delivered to the resident reminding them it needs to be done. If it still has not been done 24 hours after the notice was delivered, a citation will be issued—\$65 for residential and \$195 for commercial. Exceptions: residential sidewalks located on Conn., Summit and Knowles Avenues will be cleared by the Town. If you are traveling during the winter months, please make arrangements before leaving to have someone clear your sidewalk. Call Town Hall for a list of individuals and companies to contact and/or a list of volunteers who are available to help residents who feel they are physically unable to clear their own sidewalks.

RECYCLING UPDATE**Recyclable Items Now Include:**

Magazines and Catalogs
 Newspapers (including all inserts)
 Junk mail and envelopes
 Non-metallic wrapping paper
 Paperboard boxes (such as cereal boxes)
 Corrugated cardboard
 Books (including paperbacks, hardbacks and telephone)
 Clean paper products—colored and white paper
 Shredded paper (gather and place inside a paper bag)
 Brown paper bags
 Milk cartons (paper or plastic) and juice boxes
 Plastic bags, such as grocery bags
 Glass food and beverage containers
 Tin and steel food and beverage containers
 Aluminum food and beverage containers
 Aluminum foil and aluminum pie pans
 Empty aerosol cans

Empty plastic containers, including narrow-neck bottles and wide-mouth containers such as peanut butter yogurt and prescription bottles.

Not Acceptable Items:

Soiled paper products
 Waxed paper or boxes
 Hazardous material (such as pesticides and motor oil)
 Plastic "clamshell" packaging (such as from a salad bar) and molded plastic packaging
 Polystyrene (Styrofoam)
 Large plastics, such as furniture and coolers
 Any container that is not empty.

REMEMBER: In the single stream recycling program, all recyclable items may be mixed together.

LEAFING

The Town's leaf collection has ended. If you would still like to have leaves picked-up, please place them in a yard waste bag for pick-up during brush collection on Monday and Fridays.

Town Meeting Minutes

November 9, 2009

Town Meeting, 7:05 p.m.

Mayor Fosselman, Council Members Barch, Donatelli, McMullen, and Thompson, Town Manager Sanford Daily, Clerk-Treasurer Susan Engels and Assistant to the Town Manager Matt Hoffman were present. The Pledge of Allegiance was recited and a Moment of Silence observed for Jean Cryor and Dr. Cohen who recently passed away.

The Mayor reported he participated in the Walk for Autism; attended the Family Justice Center one year celebration; attended the County Council's Annual Growth Policy discussion; noted Mayor Hoffman of Rockville lost her bid for re-election and that she had been very supportive of the Town; had a Marketing Meeting with Maier Warner along with Council Members Barch and Donatelli; attended dinner with the Governor, Lt. Governor and Attorney General; testified on Storm Water Management Act of 2007 for MML and was chosen to meet with the Secretary of Environment, who decided to hold off on revisions to State regulations and work with municipalities on the new storm water management laws; attended an event for Delegate Kathleen Dumais; and attended the Historic District Expansion Committee.

Council Member McMullen noted he attended the meeting of the Historical District Expansion Committee which is beginning to work on goals and outreach of the pros and cons of expanding the Historic District.

Council Member Donatelli attended the Marketing Meeting, ordered planters and chains for expansion of the Farmers Market, and attended the Park and Planning meeting on urban design guidelines for Germantown.

Council Member Thompson noted car thefts have been going around his neighborhood; Senator Mikulski will be in Kensington on

Thursday to commend the Fire Department for outstanding service, innovative tuition program, and for the new tower ladder purchased with a federal grant; and attended a meeting with HPC regarding the review of the Montgomery Avenue and Kensington Parkway intersection.

Council Member Barch attended the Park and Planning meeting on urban design guidelines for Germantown; the Revitalization Committee Meeting, met with Park and Planning to go over the redesign of Kensington Cabin; and noted Safeway has been very responsive to requests, traffic on Armory Avenue has improved 50%, they have started to replace all the dead trees, and are planning on putting brick around the HVAC system on the roof.

Lt. Robert McCullagh, Jr., Deputy District Commander for Montgomery County Police, was present and discussed safety, gave a comparison of incidents from 2009 to 2008 occurring in Town, and answered questions. He noted the amount of patrols in an area is based on calls for service.

Discussion was continued from the prior Town Meeting on Off-Sale Beer & Wine Licenses in selected areas. Ronald Price from Montgomery County Department of Liquor Control discussed types of licenses, license requirements, enforcement, the renewal process and the ability for the Town to set up a broad range of restrictions for Off-Sale Beer & Wine Licenses, including the ability of the Mayor and Council to approve each individual license application. Mr. Price noted the one thing that probably could not be regulated with off-sale beer & wine was the percentage of gross sales.

The Mayor noted the Council should consider the following things when voting on off-sale beer and wine: time restrictions, limiting square footage, signage control, limiting the number of this type of license, and selling only room

After considerable discussion, the Council concurred to have a

Council Member Thompson presented the intersection design for Montgomery Avenue and Kensington Parkway which changes it to a three way intersection with stop signs, defines the intersection and increases green space. He will be requesting a desk review of the proposed changes from the Historic Preservation Commission. Residents commented on traffic statistics for the intersection, made suggestions for immediate improvement of the intersection, and noted speeding is a problem. Council Member Barch suggested adding the additional raised crosswalk on the southbound section of Kensington Parkway. Council Member McMullen expressed concern over the funding for the project. Council Member Thompson noted the first priority when funding is available is Frederick Avenue. The Mayor noted that the design is what is being approved, funding was already approved in the 2010 Budget, and we will still need to find funding sources due to the loss of SHA Revenue. Speed cameras may be a revenue producer. The Mayor questioned if the crosswalk at Montgomery and Kensington Parkway was still raised? Council Member Thompson responded positively.

The Town Manager noted the personnel resolution was to clarify the "at will employee" and eliminate reference to "civil service" in the Personnel Handbook. Council Member McMullen suggested the appeal process should be done by a different person than the person terminating an employee. See Council Actions.

In From the Public, Residents noted the increased attendance at the meeting; appreciated priority given to street repair on Frederick Avenue; requested the leaf pick up schedule be clarified; requested information on fire pits; and requested whether new items added to the County's recycling program could be added to the Town's. The leaf schedule and fire pit information will be available in the newsletter

And/or the website and the recycling contractor will be contacted again on including the new items.

Council Actions

Council Member Barch moved to approve the minutes from October 26, 2009. The motion passed unanimously.

Council Member Barch moved to have a referendum on off-sale beer and wine in the Town at the June 2010 election. The motion was withdrawn for discussion. Council Member Barch moved to have a referendum on off-sale beer and wine in the Town at the June 2010 election. The motion was withdrawn for clarification from the Town Attorney on the process for referendums and will be made at the next Town Meeting.

Council Member Thompson moved to approve intersection design for Montgomery Ave and Kensington Pkwy. Motion passed unanimously.

Council Member Barch moved to approved Resolution 2009-16 authorizing award of the bid to renovate first floor bathroom in Town Hall to Maggin Construction Company with the Contract not to exceed \$120,000. The motion passed unanimously.

Council Member McMullen moved to approve Resolution 2009-17 to amend the Personnel Handbook to change the procedure for employee discharge appeals. The resolution was amended to replace "Town Manager" with "Mayor" in the section "Appeal of Discharge from Employment". The motion passed unanimously.

Council Member McMullen moved to adjourn the meeting at 10:25 p.m.

The motion passed unanimously.

Want K-Town Plates?

The Town of Kensington is in the process of applying to the State's Motor Vehicle Administration for organizational license plates. The Town needs a minimum of 25 applicants before submitting the application. The cost is \$25 per applicant.

If you're interested in representing the Town with our very own vanity plates, please send us a check for \$25 addressed to the MVA by October 30, '09. Any questions can be directed to Matthew Hoffman, Assistant to the Town Manager, at 301.949.2424 or email mjhoffman@tok.md.gov.

What a great way to show pride in our beautiful and historic town!



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To Our Kensington Neighbors